

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re application of: | Cary L. Bates, et al. | : | Date: March 20, 2007 |
| Group Art Unit: | 2191 | : | IBM Corporation |
| Examiner: | Z. Wei | : | Intellectual Property Law |
| Serial No.: | 10/720,961 | : | Dept. 917, Bldg. 006-1 |
| Filed: | November 24, 2003 | : | 3605 Highway 52 North |
| Title: | METHOD AND APPARATUS FOR EFFICIENTLY DEVELOPING ENCODED INSTRUCTIONS BY TRACKING MULTIPLE UNVERIFIED INSTANCES OF REPETITIVE CODE SEGMENTS | : | Rochester, MN 55901 |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 2313-1450

Sir:

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated December 20, 2006, finally rejecting claims 1, 3-8, 10-13 and 15-18.

Docket No.: ROC920030211US1
Serial No.: 10/720,961

The appeal fee pursuant to 37 C.F.R. §1.17(b) for other than a small entity is \$500.00.
Please charge Deposit Account No. 09-0465 in the amount of \$500.00.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0465:

- (a) Any additional filing fees under 37 C.F.R. §1.16; and
- (b) Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,
CARY L. BATES, et al.



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